

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

MIRROR WORLDS TECHNOLOGIES, LLC

Plaintiff,

v.

APPLE, INC., et al.,

Defendants.

CIVIL ACTION NO. 6:13-CV-419-LED

JURY TRIAL DEMANDED

ORDER

Before the Court is the Motion to Sever of Defendants Microsoft Corporation, Best Buy Stores, LP, BestBuy.com, LLC¹, Dell Inc., Hewlett-Packard Co., Lenovo (United States) Inc., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC (Dkt No. 76).

The Court, having been notified that Plaintiff Mirror Worlds Technologies, LLC and all moving Defendants agree to the relief granted below and hearing no objection from Apple, Inc.,² ORDERS as follows:

1. The following claims shall be SEVERED into a single separate action (the “New Action”):

¹ When the motion was filed, Best Buy Co., Inc. was named as a Defendant and Best Buy Stores, LP and BestBuy.com, LLC were not yet named as parties. Best Buy Co., Inc. has since been dismissed and Best Buy Stores, LP and BestBuy.com, LLC were named as parties and joined the motion to sever.

² Apple took no position on the appropriateness of severance. However, as of the date of the filing of this Agreed Order, Apple has been unable to advise whether it has a position on the appropriateness of consolidation for pretrial purposes.

- (i) all claims and counterclaims between Mirror Worlds and Microsoft Corporation, Dell Inc., Hewlett Packard Co., Lenovo (United States) Inc., Samsung Electronics Americas, Inc. and Samsung Telecommunications Americas, LLC,;
- (ii) all claims asserted by Mirror Worlds against Best Buy Stores, LP and BestBuy.com, LLC based on the sale of the Windows Operating System and/or products that contain the Windows Operating System.

The Court directs the Clerk to assign a different civil action number to the resulting severed case. Plaintiff's claims against the parties in the newly created suit shall be considered filed as of the date of filing the Original Complaint in the above-captioned lawsuit.

2. The following claims shall remain in the above-captioned matter (the "Original Action"):
- (i) all claims and counterclaims between Mirror Worlds Technologies, LLC and Apple, Inc.;
 - (ii) all claims asserted by Mirror Worlds Technologies, LLC against Best Buy Stores, LP and BestBuy.com, LLC based on the following accused products:(1) versions of the Mac OS X operating system; and (2) personal computers and/or tablets (a) made or imported by Defendant Apple and/or (b) that include a version of the Mac OS X operating system;

As a result of the foregoing, Best Buy Stores, LP and BestBuy.com, LLC shall be parties in both suits.

3. The New Action and the Original Action shall be consolidated for all pre-trial purposes.

This ORDER resolves all issues raised in Docket Entries 76, 99, 111 and 124. Any relief requested in those Docket entries not expressly granted in this ORDER is DENIED.

So ORDERED and SIGNED this 10th day of December, 2013.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**